

REMARKS

Claim 1 has been amended to recite the subject matter of claim 5. Claim 1 now recites that the resin is compounded in the rubber in an amount of 4-10 parts by weight based on 100 parts by weight of the rubber component.

Claim 5 has been canceled.

Upon entry of the above amendment, claims 1-4 and 6-9 will be all the claims pending in the application.

Response to the Rejections of Claims 1-9 under 35 U.S.C. §§ 102 and 103

Claims 1-5 and 7-9 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,901,766 to Sandstrom et al. ("Sandstrom").

It is asserted that Sandstrom teaches a composition for a tire tread of a pneumatic tire comprising a styrene-butadiene copolymer rubber, polybutadiene, coumarone indene resin, phenol/acetylene resin, and processing oil.

The present invention is directed to a rubber composition with improved wet performance and wear resistance, as well as having excellent processing characteristics. In the present invention, a resin, in an amount of 4-10 parts by weight (based upon 100 parts by weight of the rubber component), is compounded in a rubber component.

On the other hand, Sandstrom expressly teaches compounding 15-50 parts by weight (based upon 100 parts by weight of the rubber component). *See* col. 1, lines 40-42.

Applicants respectfully submit that the Examiner has misinterpreted Example 4 of Sandstrom. It is the Examiner's position that Example 4 employs 7.5 parts by weight (based

upon 100 parts by weight of the rubber component). The Examiner states that the resin is cumarone indene resin. Applicants submit, however, that the total amount of compounded resin is 15 parts by weight (based upon 100 parts by weight of the rubber component). Example 4 has 7.5 parts by weight (based upon 100 parts by weight of the rubber component) of cumarone indene resin *and* 7.5 parts by weight (based upon 100 parts by weight of the rubber component) of phenol/acetylene resin. Thus, the total amount of resin is 15 parts by weight, which is higher than the instantly claimed amount. Therefore, claim 1 is not anticipated, or rendered obvious, by the teachings of Sandstrom.

Applicants respectfully request that the anticipation rejection be reconsidered and withdrawn.

Claim 6 has been rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Sandstrom.

For the reasons set forth in the response to the anticipation rejection, Applicants respectfully request that the obviousness rejection of claim 6 be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/046,205

Q68085

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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